

**S. AMANDA MARSHALL, OSB #95347**

United States Attorney

District of Oregon

**AMY E. POTTER**

Amy.potter@usdoj.gov

Assistant United States Attorney

405 E. 8th Avenue, Ste 2400

Eugene, Oregon 97401-2708

United States Attorney's Office

Telephone: 541-465-6356

Facsimile: 541-465-6917

**UNITED STATES DISTRICT COURT**

**DISTRICT OF OREGON**

**PORTLAND DIVISION**

**UNITED STATES OF AMERICA,**

**v.**

**COMPLAINT IN REM**  
**FOR FORFEITURE**

**63450 SHINGLEHOUSE ROAD,  
COOS BAY, COOS COUNTY, STATE  
AND DISTRICT OF OREGON, REAL  
PROPERTY WITH BUILDINGS,  
APPURTENANCES AND  
IMPROVEMENTS, *in rem*,**

**Defendant.**

Plaintiff, United States of America, by S. Amanda Marshall, United States Attorney for the District of Oregon, and Amy Potter, Assistant United States Attorney, for its complaint *in rem* for forfeiture, alleges:

**I.**

This Court has subject matter jurisdiction, *in rem* jurisdiction, and venue pursuant to 21 U.S.C. § 881; 28 U.S.C. §§ 1345, 1355, 1356, and 1395; and 19 U.S.C. § 1610.

II.

Defendant, *in rem*, 63450 Shinglehouse Road, Coos Bay, Coos County, State and District of Oregon, real property with buildings, appurtenances and improvements and more particularly described as follows:

BEGINNING AT AN IRON PIPE ON THE WESTERLY BOUNDARY OF THE COUNTY ROAD RIGHT OF WAY THROUGH THE NW 1/4 OF THE NE 1/4 OF SECTION 10, TOWNSHIP 26 SOUTH, RANGE 13 WEST OF THE WILLAMETTE MERIDIAN, COOS COUNTY, OREGON, SAID POINT BEING SOUTH 4°35' WEST 200 FEET; SOUTH 2°50' WEST 86.2 FEET; SOUTH 13°43' EAST 153.20 FEET AND SOUTH 15°45' WEST 41.56 FEET FROM A POINT ON THE NORTH BOUNDARY OF SECTION 10 WHICH IS SOUTH 89°44' WEST 453.80 FEET FROM THE NORTHEAST CORNER OF THE NW 1/4 OF THE NE 1/4 OF SECTION 10, AND ALSO FROM WHICH POINT THE IRON BOLT AT THE NORTHEAST CORNER OF THE TRACT OF LAND ON THE WESTERLY SIDE OF THE SAID COUNTY ROAD CONVEYED TO ELVIS OSCAR HASEL ETUX, BEARS NORTH 15°45' WEST 41.56 FEET; THENCE SOUTH 89°59' WEST ALONG THE LINE PARALLEL TO AND 40 FEET SOUTH OF THE SAID NORTH BOUNDARY OF THE LANDS OWNED BY ELVIS OSCAR HASEL ETUX, FOR A DISTANCE OF 266.23 FEET TO AN IRONPIPE; THENCE SOUTH 0°44' WEST 107.26 FEET TO AN IRON PIPE ON THE NORTH BOUNDARY OF THE LANDS OWNED BY A.T. FOX; THENCE NORTH 89°02' EAST ALONG SAID NORTH BOUNDARY OF A.T. FOX LANDS 296.50 FEET TO AN IRON PIPE ON THE SAID WESTERLY BOUNDARY OF THE COUNTY ROAD RIGHT OF WAY; THENCE NORTH 15°44' WEST ALONG SAID RIGHT OF WAY BOUNDARY 106.31 FEET TO THE POINT OF BEGINNING, BEING A PORTION OF THE NW 1/4 OF THE NE 1/4 OF SAID SECTION 10.

is now and during the pendency of this action will be within the jurisdiction of this Court.

III.

Defendant, *in rem*, 63450 Shinglehouse Road, Coos Bay, Coos County, State and District of Oregon, real property with buildings, appurtenances and

improvements, represents real property that was used or intended to be used, in any manner or part, to commit, or to facilitate a transaction in violation of 21 U.S.C. § 801, *et. seq.*, and is forfeitable to the United States pursuant to the provisions of 21 U.S.C. § 881(a)(7), as more particularly set forth in the declaration of Ronald B. Phillips, Senior Financial Investigator, Drug Enforcement Administration marked as Exhibit A, attached and fully incorporated herein by this reference.

WHEREFORE, plaintiff, United States of America, prays that due process issue to enforce the forfeiture of defendant, *in rem*, real property commonly known as 63450 Shinglehouse Road, Coos Bay, Coos County, State and District of Oregon, with buildings, appurtenances and improvements; that due notice be given to all interested persons to appear and show cause why forfeiture of this defendant, *in rem*, should not be decreed; that due proceedings be had thereon; that this defendant be forfeited to the United States; that the plaintiff United States of America be awarded its costs and disbursements incurred in this action.

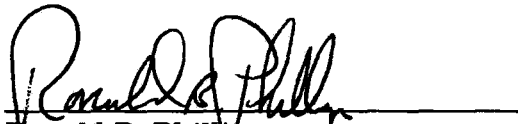
Respectfully submitted this 7th day of November, 2012.

S. AMANDA MARSHALL  
United States Attorney

/s/ Amy E. Potter  
AMY E. POTTER  
Assistant United States Attorney

### VERIFICATION

I, RONALD B. PHILLIPS, declare, under penalty of perjury, pursuant to the provisions of 28 U.S.C. Section 1746, that I am a Senior Financial Investigator with the Drug Enforcement Administration and that the foregoing Complaint *in rem* for Forfeiture is made on the basis of information officially furnished and upon the basis of such information the Complaint *in rem* for Forfeiture is true as I verily believe.



Ronald B. Phillips  
Senior Financial Investigator  
Drug Enforcement Administration